

JAN 13 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WILLIE WEAVER,

Plaintiff - Appellant,

v.

**CALIFORNIA STATE PRISON
LANCASTER STAFF AND
ADMINISTRATION,**

Defendant - Appellee.

No. 04-57008

D.C. No. CV-04-08314-CBM

MEMORANDUM*

**Appeal from the United States District Court
for the Central District of California
Consuelo B. Marshall, Chief Judge, Presiding**

Submitted January 9, 2006**

Before: HUG, O'SCANNLAIN, and SILVERMAN, Circuit Judges.

**California state prisoner Willie Weaver appeals pro se the district court's
order denying his application to file his 42 U.S.C. § 1983 action without**

*** This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.**

**** The panel unanimously finds this case suitable for decision without
oral argument. See Fed. R. App. P. 34(a)(2).**

prepayment of the full filing fee. We have jurisdiction under 28 U.S.C. § 1291.

We review the district court's decision for abuse of discretion, *O'Loughlin v. Doe*, 920 F.2d 614, 616 (9th Cir. 1990) and we affirm.

The district court did not abuse its discretion by denying Weaver's application to proceed *in forma pauperis*, as Weaver did not submit any of the statutorily required documents. *See* 28 U.S.C. § 1915(a)(2).

Weaver's motion for appointment of counsel is denied.

AFFIRMED.